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June 9, 2015

**By CM/ECF**

Catherine O'Hagan Wolfe, Clerk of Court  
United States Court of Appeals for the Second Circuit  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10077

Re: Pig Newton, Inc. v. Boards of Directors of the Motion Picture Industry, et al.;  
Docket No. 15-1029

Dear Ms. Wolfe:

We are counsel to Plaintiff-Appellant, Pig Newton, Inc., in the above-captioned action. We write on behalf of the parties to inform the Court that we are filing, contemporaneously with this letter, a stipulation pursuant to Local Rule 42.1. The parties respectfully request that the Court "so order" their stipulation.

On March 5, 2015, the district court granted summary judgment against Plaintiff-Appellant. On April 3, 2015, Plaintiff-Appellant filed a notice of appeal to ensure that its appeal of the district court's decision was timely made. As of today, judgment has not been entered by the district court.

On April 10, 2015, Defendants-Appellees, the Boards of Directors of the Motion Picture Industry Pension Plan, the Motion Picture Industry Individual Account Plan and the Motion Picture Industry Health Plan, filed an application for damages, attorneys' fees and costs (the "Application"). Plaintiff-Appellant has contested the Application. The Application was fully submitted on May 1, 2015, and awaits determination by the district court.

The parties agree that, to ensure that no additional issues are raised for appeal and to thereby conserve judicial resources, it would be best to await resolution of the Application before proceeding with this appeal. Accordingly, the parties have entered into a Local Rule 42.1 stipulation, withdrawing the case subject to reinstatement by December 15, 2015. The parties respectfully request that the Court enter their stipulation as an order.

Catherine O'Hagan Wolfe

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Respectfully submitted,

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